

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Section 63.71 Application of Embarq Florida, Inc.)
d/b/a CenturyLink, a Lumen Company, for) WC Docket No. 21-298
Authority Pursuant to Section 214 of the)
Communications Act of 1934, as Amended, to)
Discontinue a Telecommunications Service)

ORDER

Adopted: December 17, 2021

Released: December 17, 2021

By the Chief, Wireline Competition Bureau:

I. INTRODUCTION

1. By this Order, the Wireline Competition Bureau (Bureau) of the Federal Communications Commission (Commission) terminates the above-captioned application proceeding whereby Embarq Florida, Inc. d/b/a CenturyLink, a Lumen company (CenturyLink) sought Commission authority to discontinue legacy voice service on Little Gasparilla Island, Florida.1 CenturyLink withdrew the Application on November 22, 2021.2

II. DISCUSSION

2. On July 14, 2021, CenturyLink filed the Application with the Commission requesting authority, under section 214 of the Communications Act of 1934, as amended,3 and section 63.71 of the Commission’s rules,4 to discontinue the legacy voice service that it provides to 26 customers on Little Gasparilla Island, Florida that would result in a technology transition.5 The Application relied on the adequate replacement test established by the Commission in 2016 for evaluating technology transition discontinuance applications.6 On October 4, 2021, the Bureau released a Public Notice indicating that the Application did not qualify for streamlined processing because “CenturyLink’s application does not make

1 Section 63.71 Application of Embarq Florida, Inc. d/b/a CenturyLink, a Lumen company, for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Discontinue a Telecommunications Service, WC Docket No. 21-298 (filed July 14, 2021) (Application), https://www.fcc.gov/ecfs/search/filings?proceedings_name=21-298&sort=date_disseminated,DESC.

2 Letter from Craig J. Brown, Asst. Gen. Counsel, Lumen, to Marlene H. Dortch, Secretary, FCC, WC Docket No. 21-298, Comp. Pol. File No. 1710 (filed Nov. 22, 2021) (Withdrawal Letter).

3 47 U.S.C. § 214.

4 47 CFR § 63.71.

5 47 CFR § 63.60(i) (defining a Technology Transition as “any change in service that would result in the replacement of a wireline TDM-based voice service with a service using a different technology or medium for transmission to the end user, whether internet Protocol (IP), wireless, or another type”).

6 Application at 2.

the *prima facie* showing necessary for an applicant relying on the service of a third-party provider for the replacement service.”⁷

3. The *Public Notice* established 30 and 45-day deadlines, respectively, for filing comments and reply comments in response to the Application.⁸ On October 22, 2021, the Bureau extended those deadlines to November 24, 2021, and December 16, 2021, respectively,⁹ in response to a request filed by the Consumer & Competition Advocacy Organizations.¹⁰

4. CenturyLink subsequently filed its Withdrawal Letter on November 22, 2021,¹¹ and no party has opposed that withdrawal. Accordingly, the Bureau accepts CenturyLink’s withdrawal and hereby terminates this proceeding without prejudice.¹²

III. ORDERING CLAUSES

5. Accordingly, IT IS ORDERED, pursuant to section 4(i) of the Communications Act of 1934, as amended, 47 U.S.C. § 154(i), and sections 0.91, 0.204, and 0.291 of the Commission’s rules, 47 CFR §§ 0.91, 0.204, 0.291, that the above-captioned proceeding is TERMINATED.

6. To request materials in accessible formats (such as Braille, large print, electronic files, or audio format), send an email to: fcc504@fcc.gov, or call the Consumer and Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY).

7. For further information concerning this Order, please contact Michele Levy Berlove of the Wireline Competition Bureau, Competition Policy Division, at (202) 418-1477 or michele.berlove@fcc.gov.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Chief
Wireline Competition Bureau

⁷ Comments Invited on Section 214 Application of Embarq Florida, Inc. d/b/a CenturyLink to Discontinue Legacy Voice Service as Part of a Technology Transition, WC Docket No. 21-298, Public Notice, DA 21-1247, at 1-2 (Oct. 4, 2021) (*Public Notice*).

⁸ *Id.*

⁹ *Section 63.71 Application of Embarq Florida, Inc. d/b/a CenturyLink, a Lumen company, for Authority Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Discontinue a Telecommunications Service*, Order, WC Docket No. 21-298 (WCB Oct. 22, 2021).

¹⁰ Extension Request at 1; Correction to Extension Request at 1.

¹¹ *See supra* note 2.

¹² While four parties filed comments in response to the Application, CenturyLink’s withdrawal renders the concerns about the service discontinuance raised by those commenters moot.